

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CIVIL CASE NO. 1:10cv076**

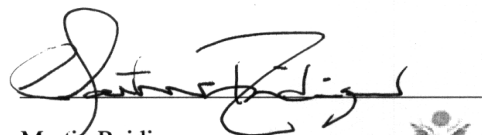
JULI ANN O. NISHIMUTA,)
)
Plaintiff,)
)
vs.)
)
KATHLEEN SEBELIUS,)
)
Defendant.)
_____)

J U D G M E N T

For the reasons set forth in the Memorandum and Order filed herewith,

IT IS, THEREFORE, ORDERED that the Plaintiff's Motion for Summary Judgment is **DENIED**; the Defendant's Motion for Summary Judgment is **GRANTED**; and the Commissioner's decision is hereby **AFFIRMED**. This case is hereby **DISMISSED WITH PREJUDICE**.

Signed: August 10, 2011


Martin Reidinger
United States District Judge

